

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|---------------------------|---|---------------------|
| C.R. BARD, INC. and BARD |) | |
| PERIPHERAL VASCULAR, INC. |) | |
| |) | |
| Plaintiff/Counterclaim- |) | |
| Defendants, |) | C.A. No. 21-349-CFC |
| |) | |
| v. |) | |
| |) | |
| ANGIODYNAMICS, INC., |) | |
| |) | |
| Defendant/Counterclaim- |) | |
| Plaintiff. |) | |

RESPONSE TO NOTICE OF FEDERAL COURT DECISION

AngioDynamics writes in response to Bard’s February 22, 2023 Notice informing the Court of the Federal Circuit’s decision in *C.R. Bard, Inc. v. Medical Components, Inc.*, Nos. 2022-1136, 2022-1186, 2023 WL 2064163 (Fed. Cir. Feb. 17, 2023) (“Port I”) and requesting that the current stay be lifted. Since Bard’s filing, Medical Components, Inc. has notified the District Court of Utah that it intends to file a combined petition for panel rehearing and rehearing *en banc*. *C.R. Bard, Inc. v. Medical Components, Inc.*, 2:17-cv-00754, D.I. 899 (February 22, 2023) (attached hereto as Exhibit A). Pursuant to Rule 41(b) of the Federal Rules of Appellate Procedure, no mandate will issue from the Federal Circuit until after the resolution of Medical Components, Inc.’s combined petition. The District of Utah has ordered that the stay will remain in place until the Federal Circuit issues its mandate. *C.R.*

Bard, Inc. v. Medical Components, Inc., 2:17-cv-00754, D.I. 900 (February 23, 2023).

AngioDynamics respectfully requests that this Court deny Bard's request to lift the stay in the present case, and order that the stay remain in place until the mandate of the Federal Circuit has issued.

Respectfully submitted,

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Dated: February 24, 2023
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